



CLEVELAND HEIGHTS

MINUTES OF THE CITY COUNCIL MEETING OF MONDAY, JULY 17, 2006

Council Committee of the Whole of the City of Cleveland Heights, Ohio, met on the above date at 6:35 p.m.

Edward Kelley, presiding

Council Members present: Caplan, Dietrich, Kelley, Montlack, Tumeo, Wilcox

Council Members absent: Evans

Mayor Kelley excused the absence of Council Member Evans.

Staff present: Carter, Czaga, Downey, Gibbon, Malone, Niermann O'Neil,
Wagner

Topic of discussion included general information pertaining to the City Manager's weekly memo.

Committee of the Whole adjourned at 7:25 p.m.

The Council of the City of Cleveland Heights, Ohio, met on the above date at 7:40 p.m.

Edward Kelley, presiding

Council Members present: Caplan, Dietrich, Kelley, Montlack, Tumeo, Wilcox

Council Members absent: Evans

Mayor Kelley excused the absence of Council Member Evans.

Staff present: Carter, Czaga, Downey, Gibbon, Malone, Niermann O'Neil,
Wagner

The minutes of the Special Council Meeting held Wednesday, July 5, 2006 were approved and signed by Mayor Kelley along with the ordinance and resolutions passed at that meeting.

REPORT OF THE CITY MANAGER

Mr. Downey stated, "Thank you very much, your Honor. I have no formal report this evening."

Mr. Malone stated, "Thank you, your Honor. I need to notify Council that four Fiscal Officer's Certificates pertaining to proposed legislation to be introduced later in the meeting to provide for issuance of bonds and notes: For the purpose of purchasing and rehabilitating motorized equipment and appurtenances, for various departments of the City; and for the purpose of improving Euclid Heights Boulevard and Meadowbrook Boulevard by replacement of base and resurfacing, together with the replacement of storm and sanitary sewers, water lines, curbs and aprons as required, together with all necessary appurtenances thereto. Your Honor, I need to make this a matter of record."

Mayor Kelley made it a matter of record and referred it to the Finance Committee.

REPORT OF THE FINANCE COMMITTEE

Vice Mayor Montlack stated, "Thank you, your Honor. The first piece of legislation is Resolution No. 80-2006(F), second reading and passage tonight. It is a Resolution approving the adoption of the 2007 Tax Budget; and declaring an emergency. The full budget is available, as always, through the Clerk of Council. We have had committee meetings, in which, has happened each year, there was a full review and discussion of each department of the challenges and the anticipated expenditures, as well as the efforts of the City Manager and all of his staff to keep expenses in line and also of course a thorough discussion of the estimated revenues with obviously question marks, especially in that area. We have had immediately before the beginning of this regular meeting, a public hearing on the 2007 General Fund Budget and at that time the City Manager gave a summary of the efforts to keep the budget in line. We certainly extend our thanks to the Finance Department, its Director, Tom Malone, and Assistant Director Sharon McGuire and of course, to Eddie Carter, Administrative Assistant to the City Manager, all of whom have worked hard, not only on the preparation of the budget document, but on those efforts throughout the year in that regard.

I'm obviously not going to go through all the line items, but just an overall statement. The revenues and again this is simply the staff's best estimates, are anticipated to increase modestly over the next year and as the City Manager recently indicated we look forward to some increase property taxes/ real estate taxes because we had a re-evaluation year. And as we've been reading in the newspaper, states revenue - revenues going to the state have increased somewhat and so we may not face the usual round of threatened cuts in that regard. The projected General Fund Budget for this year, 2006, is at, in terms of revenue, \$41,276,347. We estimate or the staff's best guess as to revenues in 2007, for which this legislation addresses itself, is \$42,931,200. As to the budget itself, the 2006 budget from last year or legislated from last year, is estimated still at \$41,276,347 and this year's budget for our legislation is estimated at \$42,079,217. If we can assume that last years - that the budget we're operating under, is going to come in at about the estimated dollars and it usually comes in pretty close, the 2007 budget, that is to say the 2007 General Fund expenses are estimated to increase at about 1.95%. This is something worth considering when you take into consideration the cost of living increases, the increases that working people on the whole receive year-to-year. This very modest increase that is accompanied by belt tightening in regard to employee contributions, to hospitalization, many kinds of work rules and other factors in regard to the actual work done by the employee - all of these factors together amount, in my opinion, to tremendous commitment and even sacrifice by the staff whose commitment to this city should be appreciated, and that is a brief overview of the 2007 General Fund Budget. With that said, Resolution 80-2006(F), is presented on second reading for passage tonight."

Mayor Kelley accepted Resolution No. 80-2006(F), Second Reading.

Roll Call: Ayes: Caplan, Dietrich, Kelley, Montlack, Tumeo, Wilcox

Nays: None

Resolution passed

Vice Mayor Montlack continued, "The next series of legislative pieces relates to another aspect of how we keep the city afloat financially which is through the prudent use of indebtedness. We will start with Ordinance No. 87-2006(F). This will be a series of ordinances relating to the continuing financing of various public works kinds of activities. To the average citizen, you will understand, as I read each legislation what is being financed here, because you've been driving the streets or driving around the streets on detours as you see the tremendous amount of work going on. Work that has been well managed by the staff and in a great respect is also attributed to the aggressiveness of the City Manager and the Mayor in asking for and receiving help from the county engineer to help finance this work. Obviously, the indebtedness that I'm going to refer to is the city's portion of that cost with a great deal more being picked up by the state through the county.

For the first legislation and I just have one more comment to give you an overview. In total, through the summary, provided by Tom Malone, we will be legislating \$1,652,000 in notes and bonds to be issued for the work, much of which has already gone on and this will be toward notes that have matured in the sum \$2,464,000. Ordinance No. 87-2006(F), to provide for the issuance of \$350,000 notes in anticipation of the issuance of bonds for the purpose of improving Euclid Heights Boulevard by replacement of the base and resurfacing, together with the replacement of storm and sanitary sewers, water lines, curbs and aprons as required, together with all necessary appurtenances thereto; and declaring an emergency. The city previously, before the start of this work, authorized the issuance of notes in anticipation of the issuance of bonds in the sum of \$550,000 for that work. As you can see some of that has been paid down. I will also add on this and some other pieces of legislation, the funds to pay down these notes came from a combination of special funds: water fund, sewer fund, street maintenance fund, essentially according to the percentage of work relating to each of the funds. Ordinance No. 87-2006(F) is presented on first reading for passage tonight."

Mayor Kelley accepted Ordinance No. 87-2006(F).

Roll Call: Ayes: Dietrich, Kelley, Montlack, Tumeo, Wilcox, Caplan

Nays: None

Ordinance passed

Vice Mayor Montlack continued, "Ordinance No. 88-2006(F) relates back to a 2004 ordinance in which the city authorized the issuance of notes in the principal amount of \$1,155,000 and some payments have been made on those notes. Under this, Ordinance No. 88-2006(F), to provide for the issuance of \$737,000 notes in anticipation of the issuance of bonds for the purpose of improving Meadowbrook Boulevard by replacement of the base and resurfacing, together with the replacement of storm and sanitary sewers, water lines, curbs and aprons as required, together with all necessary appurtenances thereto; and declaring an emergency. The comments that I made for the previous legislation as to the special funds that have been used to pay down the notes over the past two years applies to this ordinance, which is Ordinance No. 88-2006(F), presented on first reading for passage tonight."

Mayor Kelley accepted Ordinance No. 88-2006(F).

Roll Call: Ayes: Kelley, Montlack, Tumeo, Wilcox, Caplan, Dietrich

Nays: None

Ordinance passed

Vice Mayor Montlack continued, "Thank you. Of course, the expense for Meadowbrook fac-

tored in Murphy's Law, because here was a situation where underneath the roadway, the aging infrastructure presented us with many special challenges which were costly to take care of and we should mention also that this Council is certainly appreciative of the residents of Meadowbrook Boulevard who have put up with a lot of construction, dust and inconvenience, but finally have a new roadway.

Ordinance No. 89-2006(F), to provide for the issuance of \$145,000 notes in anticipation of the issuance of bonds for the purpose of purchasing and rehabilitating motorized equipment and appurtenances, for various departments of the City; and declaring an emergency. This legislation is based on the passage last year of legislation for the original principal amount of the indebtedness of \$595,000 and so you can see there has been a substantial payment in this case from the bond retirement fund. Ordinance No. 89-2006(F) is presented on first reading for passage tonight."

Mayor Kelley accepted Ordinance No. 89-2006(F).

Roll Call: Ayes: Montlack, Tumeo, Wilcox, Caplan, Dietrich, Kelley

Nays: None

Ordinance passed

Vice Mayor Montlack continued, "Ordinance No. 90-2006(F), to provide for the issuance of \$420,000 notes in anticipation of the issuance of bonds for the purpose of purchasing and rehabilitating motorized equipment and appurtenances, for various departments of the City; and declaring an emergency. These are new notes and Ordinance No. 90-2006(F) is presented on first reading for passage tonight."

Mayor Kelley accepted Ordinance No. 90-2006(F).

Roll Call: Ayes: Tumeo, Wilcox, Caplan, Dietrich, Kelley, Montlack

Nays: None

Ordinance passed

Vice Mayor Montlack commented, "To state the obvious, unlike the federal government, this city and all cities are not permitted to be operated at a deficit. This city cannot print money and unlike the federal government, this city has decided not to give tax cuts to the upper 2% of the income of producing folks, instead of that we just have to watch our purchases, watch our indebtedness, and have real commitment to the work, which as I said before, the staff does. That concludes the report of this committee."

REPORT OF THE MUNICIPAL SERVICES COMMITTEE

Council Member Caplan stated, "Thank you. There is no legislation. I think the legislation that we just heard and passed took care of lots of things for municipal services and although it's an inconvenience it's really a good thing to be taking care of the infrastructure in our city. Although, one has to learn how to find new routes for our regular routine, it is in the end worth it. It is really good for the city and so I am glad that we passed those pieces of legislation and I have no report for this evening. Thank you."

Mayor Kelley, "Councilwoman Caplan, nothing on recycling?"

Council member Caplan responded, "Well, I was going to say something, but I think people are getting tired of hearing it, so I'll save it for a few weeks, but thank you."

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

Council Member Wilcox stated, "Thank you, your Honor. There is no legislation from this committee tonight. I did want to make a couple of comments. One is to announce that we received a letter from the Cleveland Restoration Society noticing us that two properties in Cleveland Heights are receiving 2006 preservation awards from the Cleveland Restoration Society. One of those is the Brownstones at Derbyshire, the adaptive reuse of the 1930's gothic revival church along with new construction, condominiums which has created an attractive anchor at the corner of Euclid Heights Boulevard and Derbyshire Road. In the single-family category, Georgiana and David Gray at 2308 Grandview Avenue received a preservation award for restoring their 1910 four-square home. I should point out that the Gray residence is one of seventy homes that has been renovated through the Heritage Home Program and is in its fifth year of operation in Cleveland Heights and since the fall of 2001, has provided free technical assistance to over 220 homeowners and has signed seventy low-interest home rehab loans which have reinvested 2.3 million dollars in Cleveland Heights' neighborhoods. So, we certainly thank Cleveland Restoration Society and congratulations to Brownstones at Derbyshire and to the Gray Family.

I also wanted to make a comment tonight about, in light of our passing our tax budget for 2007 and just a comment on our financial condition and how it relates to this committee and our planning and development activities in the city. As always our budget requires close attention and more so in recent years because of the cuts we've seen from federal and state government to local government. This has required us, obviously, to focus on maximizing our local revenues including augmenting our main sources of revenue which are our income tax and our property tax through our new housing and commercial projects and through increased emphasis on maintaining and upgrading our properties throughout the city. On the other side of the ledger as has been stated tonight, the City Manager and staff continue to use the cliché, 'do more with less.' Our expenditure growth in our budget has been very low and continues to be modest with our 2007 budget only about 2%. The problem in the long run is that we can certainly continue and thus far have been able to deliver efficient and effective city services with a dedicated city staff, but the impact of these federal and state cuts is that it is very difficult for us to set aside money and the resources we need to invest in new development activities in the city. And make no mistake about it, an older community, the cost of new development and reinvesting requires city incentives most of the time, and those incentives are harder to be made available because of the lack of focus by the federal and state elected official on local problems. The answer is obviously to in part to make our elected state and federal officials more aware of urban issues and urban problems and to vote more resources to assist communities like Cleveland Heights. At the federal level it means such things as keeping programs like our CDBG grants fully funded. And again, this year we see an effort to try to cut back on those programs. At the state level it means instead of providing everyone with an eight dollar a month tax cut, as an election year gimmick, instead to pool that money so that it can be reinvested in local economic development. It also means at the state level rather than worrying about making sure that people can carry guns in our parks to focus instead on property tax relief as part of the school funding solution.

Now, you often hear us up here complain about our elected officials in Washington and the state and the reason I'm bring this up tonight is just to remind everybody that this is an election year and the election is less than four months away. It seems like a long time but it really isn't a long time. It's time to start to listening to the elected officials that are running and there are a lot of them and we're going to have the opportunity to bring in new leadership in the state and in Washington and Congress. I think it is important for all of us in Cleveland Heights to listen to the candidates and make sure they are focusing on our issues and the issues that affect our community. So I would urge everyone to pay close attention to what the candidates are saying about inner-ring suburbs like Cleveland Heights and urban areas and make sure that our voices are heard in November. That concludes my comments."

Mayor Kelley added, "Thank you, Councilman Wilcox, your remarks were right on."

REPORT OF THE PUBLIC SAFETY AND HEALTH COMMITTEE

Council Member Caplan states, "Thank you. There is no legislation for Public Safety and Health Committee. Council Member Evans is on a much needed vacation and we're all envious of that and other than reminding people that summer is the time when it's lighter, longer. Children are outside playing, let's remember some of those lessons we've been talking about, civility and being a good neighbor and being aware of people who have to go to work in the morning, who want to go to sleep, who'd like to enjoy the quiet of their surroundings and to try and be respectful of one another. I encourage people to pay attention to all the things that make us a wonderful neighborhood when we don't disturb each other.

The other thing I should have mentioned before that it was a wonderful art festival this past weekend. For those of you who did not come, you missed something terrific and for those of you who did come, it was like a big party. Everybody was in a wonderful mood and it was wonderful to be there and a special thank you to the staff. It's a lot of work to put together and the park looked great and it was just a wonderful event. So, thank you to the staff. That's all I have."

REPORT OF THE ADMINISTRATIVE SERVICES COMMITTEE

Council Member Tumeo stated, "Thank you, your Honor. I have no legislation tonight from this committee, but I do have a series of appointments to boards and commissions. First all, to the Commission on Aging I would like to move the appointment of Claudia M. Vondriska to fill an unexpired term commencing immediately through June 30, 2007. Miss Vondriska has a long-standing interest in serving the city on a board. In fact her application has been on file almost five years and she has a great deal of experience in both teaching and advocacy and will be a great addition to the Commission on Aging. With that I would like to move the appointment of Claudia M. Vondriska."

Second by Council Member Wilcox.

Roll Call: Ayes: Wilcox, Caplan, Dietrich, Kelley, Montlack, Tumeo

Nays: None

Appointment passed

Council Member Tumeo continued, "Thank you. Next, I would like to make an appointment to the Recreation Advisory Board. I would like to move the appointment of Mr. Jeff Rink to a four-year term starting immediately and ending May 31, 2010. This is a vacant seat that was left open by the departure of Greg Hall who served the maximum time on the Recreation Advisory Board allowed by city ordinance. Mr. Rink grew up in Cleveland Heights and is currently a baseball coach in our youth baseball league and will be an excellent addition. With that, I'd like to move the appointment of Mr. Rink."

Second by Council Member Dietrich.

Mayor Kelley added, "With truth in advertising, I'd like to say, Jeff has served as my youngest son, Patrick's baseball coach for the last two years for four year old tee-ball and now five and six. He couldn't be a gentler giant than Jeff that's handling these kids. He does a great job and his wife Melissa, they are at all the games/practices. His father is running our fifty-five year young senior hardball fast pitch league. There couldn't be a better person to join our board and we will certainly miss Mr. Hall

who has done great work for us serving as the chair for about four years or so. He certainly will be missed, but we would encourage him to apply for another board or commission that tickles his fancy, because he will be a great asset. Greg will be a great person to have on any other board he would wish to serve. I think we would look favorably on an application from him. Jeff is a great addition and we certainly will miss Greg.”

Roll Call: Ayes: Caplan, Dietrich, Kelley, Montlack, Tumeo, Wilcox

Nays: None

Appointment passed

Council Member Tumeo continued, “Next, I would like to make an appointment to the Administrative Services Commission. For this I would like to move the appointment of James K. Roosa. This is an appointment that would be immediate to fill the unexpired term of Allison McCallum who has resigned. This term will end October 31, 2006. Mr. Roosa is a practicing attorney with experience in labor and business law and he will bring legal expertise to this important advisory committee. I’d like to move the appointment of Mr. James K. Roosa.”

Second by Council Member Dietrich.

Roll Call: Ayes: Dietrich, Kelley, Montlack, Tumeo, Wilcox, Caplan

Nays: None

Appointment passed

Council Member Tumeo continued, “Next, for the Cable Television Commission, I would like to move the appointment of James J. Costello. This appointment would be effective immediately to fill the unexpired term of Patrick McCarthy, who has stepped down. The term will end February 28, 2007. Mr. Costello is a life-long resident of Cleveland Heights and a practicing attorney and we expect he will bring some new views to this very important committee. With that, I’d like to move the appointment of James J. Costello to the Cable Television Commission.”

Second by Council Member Wilcox.

Roll Call: Ayes: Kelley, Montlack, Tumeo, Wilcox, Caplan, Dietrich

Nays: None

Appointment passed

Mayor Kelley added, “We’d like to say a big thank you to Patrick McCarthy who served for a number of years, and consistently took on Cablevision then Adelphia and brought them to their knees time, time and time again to make sure our fines were put in right perspective and always listened to the people when they came here to complain and made sure their needs were met and really took on the side of the little guy and really we were very impressed by his work. And again, he would be another person who if he has the time (I know he has two young children) if he ever wanted to look to serve on another board or commission. Council would certainly want him serving again. He was a great asset to our Cable Commission.”

Council Member Tumeo continued, “Thank you. I saved my favorite appointment for last. I’d like to move the appointment of Ms. Diana Woodbridge to our Planning Commission. This appointment is effective August 1, 2006 and is to fill the seat left vacant by the resignation of Jacek Ghosh. Mr. Ghosh has been a long-time resident of the city and has served on many committees. I had the honor of serving with him on the Citizens Advisory Committee. He is a great friend and a wonderful colleague.

His wife has received an employment offer out of the state that, as they say, they could not refuse, and he has regrettably resigned so they could move out of the city. Having left a very important spot on the Planning Commission, the term will end December 31, 2008. We were lucky enough after looking through several applications and several dedicated citizens to select Diana Woodbridge. She has agreed to serve. Diana has a long history of support of the city and has served with the HRRC for a long time. She has recently stepped down as executive director of that. She needs not a lot of introduction. We all know her. She's been a good friend of mine and everyone on this council. There are very few individuals who have the depth of knowledge of our community that Ms. Woodbridge does. It's a great pleasure to move the appointment of Diana Woodbridge to the Planning Commission."

Second by Council Member Caplan.

Council Member Caplan added, "I would just like to say that it's a wonderful opportunity for us to have Diana be on our Planning Commission. What an asset for us. She has been an extraordinary influence in the City of Cleveland Heights and she'll now be able to continue. She thought she was going to retire from serving. It doesn't work that way and we're just thrilled to have her. What a great appointment. Really, I'm so thrilled about it. There is nobody more perfect. It's great."

Mayor Kelley added, "I, too, want to say this is a great appointment. I remember her retirement dinner. We said we would find something for her to do, not knowing that this would be something that we would find for her to do. She'll be able to plug in right away. Hit the ground running and compliment the six other members very well and she'll be able to bring a wealth of experience to the Planning Commission, to be able to stand her ground, to vote yes when she feels it is appropriate and when it is appropriate she will also vote no. She will be her own person and that's exactly what we want on this very important board and she will help shape our community for many years to come, as she has done, as I believe for thirty years she served with first FHC and HRRC. So this is an excellent appointment to this board and we did have a number of very qualified people along with Diana, but this is an excellent choice and I certainly support it."

Roll Call: Ayes: Montlack, Tumeo, Wilcox, Caplan, Dietrich, Kelley

Nays: None

Appointment passed

Mayor Kelley added, "Thank you to Jacek Ghosh for his service, first on the Citizens Advisory Committee and on the Planning Commission and didn't he also serve with you, Dennis, on one of the housing?"

Council Member Wilcox responded, "Fair Housing?"

Mayor Kelley answered, "No. One we put together to go over the abatement stuff. What did we call it."

Council Member Wilcox answered, "Yes. The housing review committee."

Mayor Kelley said, "Yes, the housing review committee. He was very busy when he was with us and he certainly will be missed, but it's great that he is following his wife into another career and a better opportunity, but he's always welcomed here back in Cleveland Heights."

Council Member Tumeo concluded, "That's all the appointments. I would like just one more thing following on the civility. I think this is a testament to Nancy, it's now ingrained in all of us to think

about these things. As we went through the day and for the next week we're going to be in one of the hottest weeks of the year and perhaps on record. I would like to encourage everyone to take a moment and think of any of your neighbors, especially the elderly and sick who may be alone and you may want to check on them, especially if they don't have air conditioning. It's going to be hot. Make sure they have what they need and take care of each other. Thank you and that concludes my report."

REPORT OF THE COMMUNITY RELATIONS AND RECREATION COMMITTEE

Council Member Dietrich stated, "Thank you. This will not be nearly as exciting as making all those wonderful appointments to the boards and commissions, but I have one piece of legislation on first reading only tonight. We won't be voting on this tonight. It is Ordinance No. 91-2006(CRR), amending the use regulations and rates for admission and other services for the Cleveland Heights Community Center and parks for the 2006-2007 fall/winter season, and repealing Ordinance No. 96-2005. With the temperatures around 95 as we were driving over here tonight it doesn't seem like the time, but in anticipation of the 06/07 fall and winter season, at this point we are recommending no changes in fees for annual passes for the ice, the field house or the combined center, because we did make adjustments to the rates in 2006 and that will still be appropriate for '07.

About the only major difference that we have in this legislation is that we now are going to be offering 30-day passes starting on January 1. People have asked for this for a number of reasons. It will accommodate summer college students, it will encourage people to try out the recreation center, it will offer seasonal opportunity for people, like using the field house in the winter if they are people who like to exercise outside in the summer. The way these monthly fees were determined and it's different depending on how old you are and whether you are a family, etc. The amount for the annual passes divided by 12 and then doubled and we discovered that's pretty much the standard formula for other centers and the only exception to that is that a monthly pass for a person whose age is kindergarten through eleven is only \$10.00 a month.

As always, you have to have a recreation ID in order to use the center and that is \$5.00 and that includes having your picture taken, which you can do at the community center at the front desk at any time. This Ordinance also sets the regulations for rental by private groups of the ice rink and for use by the Heights High Hockey Team and none of that has changed. For first reading only, I am offering Ordinance No. 91-2006(CRR)."

Mayor Kelley accepted Ordinance No. 91-2006(CRR) on first reading only.

Council Member Dietrich added, "Thank you. I'm going to sound like Councilwoman Caplan and a little bit like Councilman Tumeo because a couple other things that I wanted to mention, but, I, too, wanted to thank the staff for once again a successful Cain Park Arts Festival. Both public works made our city shine and community relations made everybody feel welcome and I just want to emphasize that not only is this a really popular festival with the people who go to it, but the feedback that the city receives from the people who are the participating artists is just fabulous. The staff apparently (I'm not an artist so I haven't experienced it yet) treats the artists royally and really makes this a festival that they want to come back to year after year. Once again, thanks to the staff for all that they do for that.

The other thing I want to talk about - civility a little bit. I just want to make sure that people get August 15th on their calendars. August 15th is actually what we're going to be considering the kickoff to the Year of Civility. I want to show you so that you get it in your mind this is the slogan and the logo that we've chosen [displaying both]. It says, *Civility - The Heart of a Caring Community*. It shows hands shaking and this was designed by Leon Napier who is a Cleveland Heights' resident. This event on

August 15th at 7:00 p.m. at the community center is featuring Dr. P. M. Forni who is a professor at Johns Hopkins and he is the co-founder of the Johns Hopkins Civility Project and the author of a book called, *Choosing Civility*, and he has appeared on radio and tv, things like ABC World News Tonight, CBS Sunday Morning and he is going to do quite a few things in our city. He will be here for two and a half days. He is going to be holding a meeting with the administrators of the Cleveland Heights-University Heights School District. He will probably be meeting with Heights Interfaith Council, as far as I know it isn't quite arranged yet. He will be doing this public forum on the night of August 15th which is the one that we just hope everybody comes to. The next morning, Wednesday, the 16th, he will be featured at a leadership breakfast to which probably about a hundred people will be invited and they will be mostly people who have been involved in one way or the other in the civility things that have taken place so far. I just want to urge everybody to please come to this event on August 15th. This is the time when the PR campaign will begin. We will be handing out tee-shirts, if you come you'll get a tee-shirt for free that says, *Civility - The Heart of a Caring Community*. We will be handing wrist bands, posters for merchants to put up if they are participating merchants in the civility project. It should be a really fun evening. On that I want to be a little bit thoughtful here because I feel really thoughtful as I am aware constantly - as Councilman Tumeo said, civility is on my mind - and because I'm working on the project and so I kind of do go around noticing civility and lack thereof. One moment I'm elated with Cleveland Heights and I feel like everybody in Cleveland Heights is so warm to each other and everybody is greeting everybody and isn't this great and then the next minute I'm sort of feeling the crush of the complaints that we get in the summer just as the others have said. This is the time when you have to work your very hardest to be a good neighbor. Everybody hears everything that we do. You drop litter on the ground, pretty soon it smells. It just is the time of the year that is so important that we be civil to one another. The residents of Berkeley Road on the side going west from Taylor held a meeting - a neighborhood meeting last week to which forty-five people came, which is just a wonderful turnout. Susanna was there, Rick Wagner was there, some other people from staff, a police officer was there and many of the people lived in their houses twenty years - thirty years - forty years and one house can make such a difference on a street when you have one house where people can kind of forget about being a civil neighbor. As the meeting progressed, it sort of became clear that a lot of the problems that all these neighbors are seeing, really emanate from one house and the person really kind of just didn't know - wasn't really aware of how hard she and her family needed to be trying in order to be good neighbors in Cleveland Heights. We're really hopeful that just having spoken with this person, that her family will also try harder to be civil.

Something that we have done in the city on city council in the past couple of years is gradually become stricter in some of our ordinances - like we've talked about this before, holding landlords responsible for tenant behavior after a number of police calls to their house, things like that. It's not what we really want to be doing. What we would rather be doing is having people take responsibility for themselves and I think what I finally come away with in feeling as I said one way and then the other way about civility in the city is that we get nowhere when we try to make someone else be civil. Where we make progress is when we take it upon our self to be civil to the next person. All you can control is yourself. Being civil to the next person makes you feel good, it makes them feel good and ultimately it's what we need to do. So, I invite everybody to please heed that advice that we are all giving you and to please join us on August 15th at the community center. That's all I have."

REPORT OF THE MAYOR

Mayor Kelley added, "Along the lines of civility, we've had a great weekend. I'll switch around a little bit. We had some of our baseball and softball playoffs and they are still going on since the supposedly I guess you'd call them the underdog teams or the teams out of the losers brackets beat the teams out of the winners bracket so they'll actually play tomorrow night. But, the scene at Forest Hill

Park, watching all the teams play - the nine and ten year olds and the eleven/twelve year old do battle so to speak - the amount of fans there - whether it be the younger siblings or the grandparents and the aunts and uncles there, hundreds of people there - the parking lots are both jammed. The amount of sportsmanship going on and this is the group that we took over, especially the nine and ten and maybe even the eleven year olds that we took over, actually it would be the eleven and twelve year olds that we took over when the schools decided to allow us to take over the baseball program and the soccer program when they no longer were in the need to do it. These are the kids that we are working with now and put our stamp of how we run our programs and make the coaches go through training and really work with the parents and make them sign agreements before their children play to be civil so to speak - we call it sportsmanship. It's really about civility. So no more of that fighting over the balls and strikes and when a play might be controversial. It seems to be working because this was the second weekend in a row I was down there doing things in the park and watching what's going on. The amount of sportsmanship and civility at our parks in two close fought games was unbelievable. Now, we'll see what happens tomorrow night when the one team gets the white championship hat and the other team loses, both have the nine and ten and eleven and twelve year old level, but it was great. As I said the parking lots were full. The park was beautiful and humming.

Cain Park, a great weekend in Cain Park. We might not have seen the numbers we've seen before, but when you get all that activity downtown with the Tall Ships and whatever. We had a Cain Park weekend where the committed serious buyers - the city's art lovers, the heat certainly drove people away, but I think the artists still left Cleveland Heights humming and happy to be here as they went on to their next stop and we'll certainly have that competition next year that we have every year for people to get here. Many people ask, how do you get your artists? We have really have 800 to 1,000 people entering to be the 150. It's a juried selection process.

Swimming is in full bloom as we know. Our lifeguards are hard at work making sure that nothing happens, keeping people in the water, cooling down, whether it be at Cumberland or Cain Park. A lot of good compliments about our lifeguards and the way our pools are being run. It's really a hard job to do even though you think young people sitting in the sun, but a lot of these kids - I shouldn't say kids, but these high school and college people that are here working for us work very hard - hard work, making sure the mounds and mounds of people - there isn't anything in the water that may not be safe.

Coventry is really on the comeback trail for those of you who have been down to Coventry lately. Not just necessarily the Panini's or whatever. City Buddha is doing a very excellent - I think brisk business if I may talk for them. The next street fair is this Thursday. I would encourage people to go to it. I would encourage people to go to it even though you'll be hearing —. Oh no, the meeting will be on tomorrow. It's going on. There will be another one in August. We expect American Apparel to open soon. So Coventry is really on the comeback trail. If you are not sure of it, take a turn back down there if you haven't been there for a while. Cedar and Lee is also doing very well. The road work is happening in Cleveland Heights. We are done on Meadowbrook. We are coming down the homestretch on Euclid Heights Boulevard. Fairmount is a little bit more than what we expected, but it's going to be a big job. It is going to be done right and it's going to be done very effectively for the people that live there. Very few complaints. Mr. Hollis continues to complain no matter what the time or day is on Fairmount and he would appreciate my comment because I get the calls from him.

Again, this council is very hard working unlike most council who do take the summer off or go to staggered meetings. We do not do that in this city.

One other thing I want to talk about is the Free Times, 2006 Reader Choice Awards. Now, I don't usually put a lot of stock in the Free Times, but this year, is a year for us as many years are to take a great

pride in our city. So, I want to spend a few minutes just to go over some of the awards our city met. In one of the most sought after categories, Sub Sandwich Award, because we do have a lot of sub stores in Cleveland Heights, the winner again this year is Dave's Cosmic's Sub which is on Coventry. A new member to our city, as of January, Donato's, won the Pizza Chain Award, this is different than just the regular pizza of whatever. So Donato's at Meadowbrook and Lee, which is a new addition as of December won the pizza award. If you are looking for hot wings, the Winking Lizard Tavern on Coventry won as the Best Hot Wings Award. Bear with me guys. I know this might be boring to some people, but I am very proud of our institutions. The Best Thai Restaurant, really a new comer is the Mint CafÈ on Coventry, which is located at 1791. They won for the Best Thai Restaurant. They've really only been with us about four - four and a half months, so that's a very prestigious award to win and congratulations to them. Best Indian Restaurant and we've known this for many years as a council is the CafÈ Tandoor right there on Taylor Road, so that's really not a surprise to us, but good luck to them and continuation. Another great restaurant, Greek Middle-Eastern is Aladdin's Eatery on Cedar - Fairmount. They won again this year. An All You Can Eat deal, which is something probably Commissioner Jimmy Dimora would be interested in is BD Mongolian Barbeque on Coventry. For their stir fry menu you can go back as many times as you want to once you get the buffet. Take-Out, Hunan's on Coventry won again, but certainly they can win in many other categories. I am only about half way through my report here on this, as everybody rolls their eyes. Late Night Eats is Panini's Bar and Grill on Coventry, but I think they probably win for the best patio and the loudest noise for the residents on Rock Court, but Panini's won for Late Night Eats, so if you are looking for somewhere to go around 11:00 at night. Favorite Restaurant and this is not a surprise to us, but many of us have known this for many years, is Nighttown. In beating out almost every other restaurant in east, westside and even downtown, Nighttown won. So congratulations to Brendan Ring. He works very hard and his staff there to win Favorite Restaurant is Nighttown. Entertainment - Best Place to Shoot Pool, none of us on this council probably are interested in it, but Jillian's won on Cedar Road, so we're really just going all over the town here. We don't have to leave Cleveland Heights to be entertained or places to eat or party. As we continue on, Place to See Indie Films, which is an interesting category here, is Cedar and Lee, but we know Cedar-Lee is probably the best place to see any film if you want. Congratulations also to Jonathan Forman for that award. Coming down the homestretch, Best Book Store, is Borders and that's why we fought very hard to make sure Border's became a resident up here at Severance. Best Place to Buy Vinyl, would be Record Revolution on Coventry which has been there for many, many years. I'm coming through the homestretch. I have a couple more, Jazz Club, Nighttown again is Brendan Ring, running the best nightclub between Chicago and New York. Art and Music, Best Place to hear Live Music. I would have said Cain Park, but they picked the Grog Shop, so we'll give the Grog Shop the nod there and last, Local Politician, I already mentioned him before is Jimmy Dimora and he had a tie with him Dennis Kuchinch, talk about extremes, but those two guys for Best Local Politicians. This time I agree with the Free Times on most of their picks. Congratulations to all these fine establishments, most in Cleveland Heights. I think we dominated any other city including the City of Cleveland and other suburbs of similar size or local size. Congratulations to all of them and I know we could come up with a few other places in town that should have been on the list and we will stuff the ballot box for the next year or we'll figure out how to block and maybe put Travis Haffner on the All Star Team also.

This meeting will be adjourned at 8:35 p.m. Our next meeting will be Monday, August 7, 2006. Thank you for coming."

Respectfully submitted,

Edward J. Kelley, Mayor
President of Council

Thomas K. Malone
Clerk of Council

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